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09/883,502	06/19/2001	Jeffrey A. Bedell	53470.003037	8691
21967 7590 06/14/2010 HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109			EXAMINER HUYNH, CONG LAC T	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JEFFREY A. BEDELL, EDUARDO CARRANZA,
L. DOUGLAS EVERHART, WILLIAM HURWOOD, BENJAMIN Z. LI,
RAMKUMAR RAMACHANDRAN, DAVID B. SHERWOOD,
STEPHEN S. TRUNDLE, and ABHIMANYU WARIKOO

Appeal 2010-001005
Application 09/883,502
Technology Center 2100

Decided: June 14, 2010

Before: JAY P. LUCAS, STEPHEN C. SIU, and DEBRA K. STEPHENS,
Administrative Patent Judges.

STEPHENS, *Administrative Patent Judge.*

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) (2002) from a final rejection of claims 1-28. We have jurisdiction under 35 U.S.C. § 6(b) (2008). An oral hearing was conducted on June 8, 2010.

We REVERSE.

Introduction

According to Appellants, the invention is a system that enables creation of reporting system, decision support system, business intelligence and on-line analytical processing reports that use prompt objects to define any aspect of the report, with the prompt objects being resolved at run-time of the report. (Specification, 1)

STATEMENT OF THE CASE

Exemplary Claim(s)

Claim 1 is an exemplary claim and is reproduced below:

1. A prompt object on a computer-readable medium used in creating a report to be executed in a reporting system, wherein the report may specify a prompt object as a property of the report, the prompt object comprising:

a question to be asked of a user;

a prompt type;

and at least one validation property;

wherein the prompt object is used in creating a report to be executed in a reporting system, wherein the report may specify a prompt object as a property of the report, and wherein the prompt object is an object separate from the report such that the prompt object may be used more than once in a single report or may be used in more than one report.

Prior Art

Alexander

US 2002/0069207 A1

Jun., 6, 2002

Rejection

Claims 1-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Alexander.

GROUPING OF CLAIMS

Appellants argue claims 1-28 as a group on the basis of analogous limitations recited in each of the independent claims, claims 1, 6, 14, and 21 (App. Br. 9-31). We select independent claim 1 as the representative claim. Accordingly, we treat claims 2-28 as standing or falling with representative claim 1.

We accept Appellants' grouping of the claims. *See* 37 C.F.R. § 41.37(c)(1)(vii).

ISSUE

Appellants argue their invention is not anticipated by Alexander because Alexander does not teach “a prompt object comprising: a question to be asked of a user; a prompt type; and at least one validation property” (App. Br. 9-13). Appellants argue Alexander does not disclose any component or program that would allow for validating the data types of answers (App. Br. 10).

In response, the Examiner finds Alexander describes a survey in which the answers are assigned a specific value, and thus, the answer values are equivalent to the validation values (Ans. 7).

Issue: Has the Examiner erred in finding Alexander discloses a prompt object comprising at least one validation property?

FINDINGS OF FACT (FF)

Alexander

Alexander describes a computer system for creating, conducting, and analyzing surveys (Abstract). The survey includes a question(s) that a user answer(s) (*id.*).

(1) In setting up the survey, the survey manager types in the desired question, identifies whether the question has more than one answer and then selects the answer from the available choices (pg. 2, [0029]). Each answer may be assigned a value to allow the survey to assign a score based upon the value(s) corresponding to the response(s) given by the survey taker (pg. 2, [0031]).

(2) Since questions may be useful in more than one survey, they can be saved and classified by type for reuse in a catalog (pg. 2, [0034]). A catalog is a set of questions and answer pairings stored as objects in a database (*id.*). Each of the pairings was created by the user for a previous survey and in storing, is preferably classified by type (*id.*). For example, for political or product preference surveys, questions about income and lifestyle are going to be used repeatedly; therefore, these questions can be classified in the catalog for easy reuse (*id.*).

ANALYSIS

We agree with Appellants that no validation property is described by Alexander. We find that each answer to a question is assigned a value (FF 2). We also find that questions and answers are paired and stored for reuse (FF 3). However, we do not agree that because each answer has a different value and that each question has a specified classification in the catalog leads to a validation property. We find the value does not indicate whether the answer, question, question type, etc. is valid. It merely assigns a value that can be used later to score the survey (*See* FF2). Indeed, the value does not indicate whether the answer is valid as the answers are already determined by the user who set up the survey (FF 2 and FF 3).

CONCLUSION

Appellants have shown that the Examiner erred in finding independent claims 1, 6, 14 and 21 are anticipated by Alexander. Since dependent claims 2-5, 7-13, 15-20 and 22-28 depend from independent claims 1, 6, 14 and 21 respectively and were not argued separately, claims 2-5, 7-13, 15-20 and 22-28 stand with claims 1, 6, 14 and 21. Accordingly, Appellants have shown that the Examiner erred in rejecting claims 1-28 for anticipation by Alexander.

DECISION

The Examiner's rejection of claims 1-28 under 35 U.S.C. § 102(e) as being anticipated by Alexander is reversed.

REVERSED

Vsh

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